

Exhibit 9: Declaration of Jaxhiel Turay

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*,

Defendants.

No.: 6:24-cv-0306

**DECLARATION OF JAXHIEL TURAY
(pursuant to 28 U.S.C. § 1746)**

DECLARATION OF JAXHIEL TURAY

I, Jaxhiel Turay, upon my personal knowledge, hereby declare as follows:

1. I am a United States citizen. I was born in New York in 1993.
2. I currently live in Philadelphia, Pennsylvania with my spouse, Foday Turay, and our one-year-old son. I have lived in Pennsylvania for about a year. Before that, I lived in New Jersey.
3. I am currently a full-time primary care medical assistant. I am also the primary caregiver for my mother, who relies on me for daily assistance. I have been working in healthcare for about six years. Previously, I also volunteered as an Emergency Medical Technician (EMT). It has always been important to me to do work that involves giving back to my community.
4. In 2022, I met my spouse, Foday Turay. We met through an online Christian dating community, where I was looking for a partner who shared my commitment to my Christian faith. On our first date, we ended up spending over ten hours talking together. I could tell immediately that Foday also centered faith and God in his life, and that I wanted to continue to get to know him. I was living in New Jersey at the time, and he was in law school in Pennsylvania, but we started dating long distance. We would make the 3-hour drive to visit each other as often as we could while Foday finished law school.
5. On June 17, 2023, Foday and I got married in New Jersey in a small, intimate wedding. The ceremony was in a church, where we committed to each other in front of God. We moved in together after the wedding and on August 17, 2023, our son was born. He is now one year old, and he has completely transformed our lives. He is the center of my life and Foday's life. In November 2023, Foday and I bought our first home together.
6. Outside of work, I spend time with Foday, our son, and my mother. We also stay connected to our church community, to continue to center faith in our lives as we raise

our child. We often attend church services virtually as it is difficult to attend in person with a young child.

7. Foday is a noncitizen from Sierra Leone who has been living in the United States since 2003. He is a recipient of Deferred Action for Childhood Arrivals (“DACA”). When Foday told me while we were dating that he is a DACA recipient and that he might face challenges adjusting status and getting on the path to citizenship, I felt very emotional. I was worried that I could lose the person I love and that our family could be separated. Now that we have our son to think about as well, it is even more important that Foday can stay in the U.S. with us and be the father that our son needs. I never expected that immigration would become such a personal issue to me or impact my life so directly.
8. We have now been married two years, and we continue to grow as a couple and as a family. Foday and I make decisions together and our lives are deeply intertwined. I am grateful that because of DACA, Foday can pursue so many of his dreams in the U.S. However, there are things that we are not able to do because he does not have a green card or U.S. citizenship. One of the biggest things that we miss out on is traveling to the Dominican Republic together, so that he can meet my family there. Additionally, given that DACA could be taken away, and there are barriers for Foday to easily adjust status, we also still live with a constant fear that Foday could be taken away from us, that I could lose my husband, and that our son could grow up without a father.
9. Based on consulting with an immigration attorney and legal research that Foday has done, Foday and I are aware that the only barrier for him to get a green card is the fact that he entered without inspection when he came to the U.S. as a young child. I intend to file an I-130, Petition for Alien Relative, for Foday as soon as possible, and I will also support him in applying for adjustment of status. However, before the new process for

parole-in-place (“Keeping Families Together Parole”) was announced, the only way that Foday could meet the requirement for adjustment of status of being “inspected and admitted” or “inspected and paroled” was to leave the United States and seek an immigrant visa through consular processing abroad. He would need to leave our family for an indeterminate amount of time, which would cause great hardship to me and our son.

10. Therefore, Foday has not applied for an I-601A Provisional Unlawful Presence Waiver, given the risk that, even if it were granted, he could be stuck abroad for months or even years if he were to depart the U.S. for consular processing. We cannot risk this kind of prolonged separation of our family.

11. If our family was separated because Foday was deported or forced to leave the country to do consular processing, we would lose our house, as I cannot afford our mortgage on my own. Foday is the primary breadwinner in our home. Without his financial support, I would also struggle to continue to pay for childcare, food, and other needs for myself and our son. I would need to raise my son on my own, which would be very difficult given my full-time job and other responsibilities like providing daily care for my mother. In addition, I cannot fathom the idea of life without Foday. He is my partner and best friend, and we have so much love in our relationship.

12. The Keeping Families Together Parole process is therefore the best option for Foday and for our family, because it will allow Foday to stay in the U.S. and continue building his life and following his dreams here. Our family can stay together, and we can continue to raise our son together, as well as continuing to give back to our community. When we first heard that the process was being implemented by the government, we felt like our prayers were being answered.

13. Upon hearing about the announcement, Foday immediately began preparing to be able to apply for Keeping Families Together Parole the moment applications are accepted. I supported him during the process, including gathering documents like our marriage license and passports, and helping scan them into the computer so they are ready once the process officially opens.

14. On August 19, 2024, Foday submitted to United States Citizenship and Immigration Services (“USCIS”) Form I-131F, Application for Parole in Place for Certain Noncitizen Spouses and Stepchildren of U.S. Citizens, so he can be considered for Keeping Families Together Parole. The form required information about Foday’s immigration history and any criminal history, and about our marriage. Foday also submitted documentation showing his eligibility for parole.

15. I feel so grateful to have found a husband like Foday, who supports me and our family so well. Keeping Families Together Parole is a true blessing for us. It would allow us long-term stability and security in the U.S. and give me a profound sense of relief that Foday wouldn’t be taken away from us. It also makes me feel excited about what possibilities the process could open for our family in the future.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct.

Executed in Philadelphia, Pennsylvania on August 19, 2024.

Signed by:



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